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EPA Paid Expert Witness $137,000 to Testify in Landmark Fluoride Trial

Over nearly three days of testimony, the U.S. Environmental Protection Agency's first key witness in the landmark fluoride trial, David Savitz, Ph.D., downplayed the link between fluoride and IQ loss in children. The EPA paid Savitz at least $137,000 to testify.

By Brenda Baletti, Ph.D.

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Editor's note: *The Defender is providing daily updates on the landmark trial pitting Fluoride Action Network against the U.S. Environmental Protection Agency. The trial started Feb. 1. To read previous coverage, click here. The trial is scheduled to take place over nine days at the federal courthouse in San Francisco, with a Zoom feed available for up to 1,000 viewers to watch live.*

Over nearly three days of testimony, the U.S. Environmental Protection Agency's (EPA) first key witness in the landmark fluoride trial, David Savitz, Ph.D., downplayed the link between fluoride and lower IQ in children.

However, the plaintiffs' attorney and federal Judge Edward Chen pushed back on some of his conclusions.

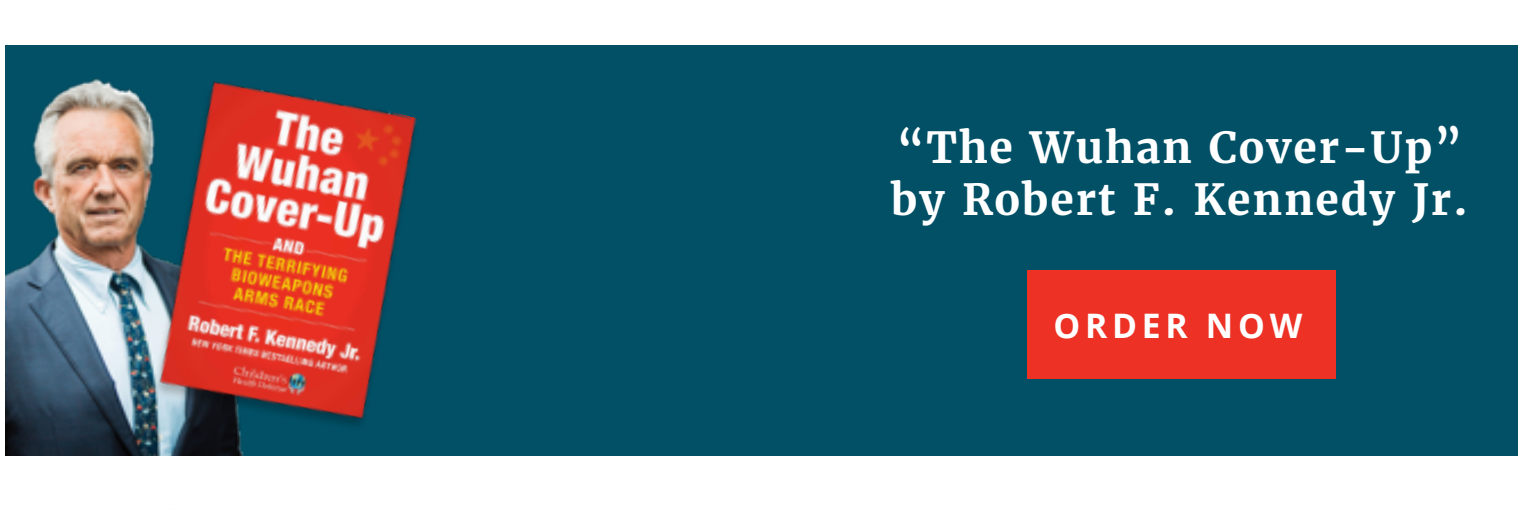
Savitz, professor of epidemiology at Brown University School of Public Health, worked with the National Academies of Sciences, Engineering, and Medicines (NASEM), reviewing the National Toxicology Program's (NTP) draft report linking fluoride to lower IQ in children.

The report is one of the key pieces of evidence in a lawsuit brought by Food & Water Watch, Fluoride Action Network (FAN), Moms Against Fluoridation and other advocacy groups and individuals, against the EPA in 2017, after the agency denied a petition to end water fluoridation under the Toxic Substances Control Act.

Savitz's testimony supported the EPA's three key arguments:

- Data on fluoride's neurotoxic effects for children at current levels of water fluoridation is mixed or uncertain and therefore no action should be taken.
- There are limitations to the NTP's conclusions, published in draft form last year, linking fluoride exposure and IQ loss in children at 1.5 milligrams per liter (mg/L).
- More recent studies not considered by the NTP cast doubt on the NTP's findings.

Savitz's testimony and cross-examination, which began last week and finished Monday, raised questions about the EPA's key arguments.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EPA paid Savitz over $137,000 to testify

Testimony began with a long list of Savitz's qualifications as an epidemiologist. Plaintiff's attorney Michael Connett underscored in his cross-examination that Savitz is an expert in epidemiology, but also pointed out that he has no experience researching fluoride.

Savitz countered that his lack of experience researching fluoride was an asset because it allowed him to examine the evidence in an unbiased manner.

Savitz also was one of six expert consultants commissioned to advise Health Canada, the country's public health agency, on water fluoridation. The panel reviewed data, including a new systematic review linking fluoride exposure at very low levels to lower IQ in children. Health Canada commissioned the review but didn't publish it.

However, the panel wrote a report — admitted into evidence last week along with the systematic review — advising Health Canada to maintain its existing water fluoridation standards. This occurred during the same time the NTP's report findings were being debated — and allegedly suppressed — by U.S. public health agencies.

Savitz testified the panel determined that the data linking IQ loss in children at existing water fluoridation levels contained too much "uncertainty" to set a hazard level for drinking water, so they advised Health Canada not to change its fluoridation levels.

Under cross-examination, Savitz told the court he sat on that panel at the same time that the EPA was paying him $500 per hour — totaling between $137,000 to $150,000 for 275-300 hours of work — as a litigation expert for the EPA in this trial examining that very question.

Chen asked Savitz if Health Canada knew he was serving as an expert witness in this case when they invited him to the panel. He said the agency did.

He also told Chen he was unaware that two other members of the panel, Steven Levy, DDS, and World Health Organization report author John Fawell were known for their activist work in support of water fluoridation.

Reviewers didn't want NTP report findings to be 'misused'

Savitz said NASEM determined the first draft of the NTP's report — which classified fluoride as a neurotoxin — fell short of providing "a clear and convincing argument" that supported its assessment.

Savitz told the court he didn't think NTP's conclusions were "wrong" but that they were stated in a way that could be "misused" as a tool for setting or changing water policy on water fluoridation.

He testified that NASEM was aware of the sensitivity of the issue and that the report could be used in ways the authors "might not have intended." The panel explicitly said the monograph could not be used to draw conclusions about low fluoride exposure concentrations.

Savitz said he thought that after the revisions, the communication was "tempered" and "more consistent" with what he thought they were trying to do.

As this review process was ongoing, former NTP director Brian Berridge, DVM, Ph.D., privately expressed frustration that political pressure was put on the NTP to change its evaluations. Berridge told The Defender he thought this raised issues for public health.

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'Inaction is an action'

Savitz testified that because two of the four major cohort studies discussed in the trial (MIREC and ELEMENT), found a statistically significant effect of fluoride on IQ at low levels, and two did not (Odense and INMA), there was too much uncertainty to definitively conclude that it posed a danger at current levels of water fluoridation.

Chen asked, "I take it the converse would also apply? Which is that given this mix [of results] you can't foreclose that there is an effect at U.S. drinking levels?"

Savitz conceded this was true.

Chen asked, given Savitz's response and the NTP's findings, if it makes sense to assume that there is a concern about current drinking water levels.

Chen also asked Savitz if he took issue with NTP's conclusion that there is an association between fluoride exposure and lowered IQ at 1.5 mg/L — just over two times current fluoridation levels.

Savitz said he had no reason to challenge it, but he hadn't corroborated it.

Savitz said another flaw was that the NTP used high-quality ecological studies — studies of endemic fluoride in other countries — as some evidence to show the effects of fluoride and that those could be confounded by other variables.

Chen pointed out that the studies would have controlled for that issue. Savitz conceded they did.

On cross-examination, Connett also pointed out that in Savitz's own work on arsenic in China, his team studied endemic arsenic at high concentrations to show evidence for arsenic's toxic effects.

They also used that data to consider toxic exposure levels in the U.S., using the same methods NTP scientists and other researchers were using endemic fluoride data, which Savitz criticized.

Connett also asked Savitz if he believed his own statements on uncertainty by quoting from Savitz's textbook, "Interpreting Epidemiological Evidence: Connecting Research to Applications." Savitz wrote in the book that "to claim we have insufficient evidence does not resolve the problem for those who make public health decisions, because inaction is an action."

Does gender affect brain's response to fluoride?

Chen also asked Savitz if the gender-based differences in response to fluoride, which were identified in the studies, were meaningful, regardless of statistical significance. Savitz said they were simply "flukes" because there is no reason to think gender would affect outcomes.

He said he wouldn't expect to see sex differences and he didn't know anyone who could explain them, so he thought it made more sense to focus on the aggregate data.

On cross-examination, plaintiffs' attorney Connett challenged Savitz's conclusions, introducing seminal work on sex differences in response to neurotoxins, explaining how common that is.

Connett also introduced the NTP's report on fluoride and neurotoxicity in animals, which identified sex-differentiated responses and called for more research into the matter.

Savitz responded that he was an epidemiologist and therefore not familiar with the toxicology literature on sex differentiation.

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Was Savitz cherry-picking the data?

Savitz identified several recent "high-quality" studies, published after the NTP completed its review, that he said found no statistically significant relationship between fluoride and IQ loss in children: the Mexican Cantoral 2021 study, the Canadian Dewey 2023 study and the Australian Do 2023 study.

Savitz said these three studies contributed to the uncertainty about water fluoridation's risks.

On cross-examination, Connett asked Savitz why, in his expert report to the court, he never disclosed that some of the findings in both the Cantoral and the Dewey study did show statistically significant associations between fluoride and cognitive ability in children.

Savitz said those pieces of data were only part of the findings, but not what he considered important as part of the overall evidence from the paper.

When the trial resumed Monday, Connett walked through each paper, highlighting the statistically significant findings in the papers that Savitz had not reported.

For example, Dewey found significant adverse associations between maternal fluoride exposure and executive function in girls, and the authors reported this as a key finding.

Savitz said he thought the authors were simply highlighting the most "interesting" findings, but that it was bad practice.

Chen asked whether he found a problem in the findings he did not report. He said he didn't, but he didn't place a premium on them.

Connett then moved to the Do study, which Savitz correctly reported found no relationship between fluoride and IQ loss. He asked Savitz if he was aware the study was published in a dental journal — not a neurotoxicology journal —- by a dentist with no prior experience studying neurotoxicology using a methodology his co-author said had validity problems.

Savitz said he didn't.

On redirect, EPA lawyers again showed the data presented in the studies Savitz summarized, and Savitz explained he mentioned only the results that showed no link between fluoride and neurotoxic effects because the preponderance of evidence in those studies made that finding.

The EPA also presented the conclusion from the recent Canadian systematic review, which also stated effects below 1.5 mg/L remained "uncertain," which Savitz said was consistent with his conclusions.

Throughout his testimony, Savitz maintained there was no strong evidence for the neurotoxic effects of fluoride exposure at "low levels," which extended up to 2 mg/L.

On cross-examination, Connett presented him with data from the NTP report and also from at least one key study showing this link.

Savitz conceded he hadn't read those studies. In fact, in addition to the NTP report, he said he had read only about 10 studies on fluoride and neurotoxicity.

After Savitz, the EPA's risk analyst Stanley Barone, Ph.D., took the stand again. Plaintiffs called him earlier in the trial to comment on the EPA's risk analysis methodology, although he is a witness for the EPA.

The EPA called him back to testify as to the quality of the evidence on fluoride and IQ for a hazard assessment. His testimony is scheduled to end Tuesday, ending testimony for the trial.

Chen will review the recorded deposition of Jesús Ibarluzea, Ph.D., the plaintiff's final witness, and review the evidence so he can pose any final questions to attorneys, who will present their closing arguments on Feb. 20 via Zoom.

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Brenda Baletti, Ph.D.

Brenda Baletti, Ph.D., is a senior reporter for The Defender. She wrote and taught about capitalism and politics for 10 years in the writing program at Duke University. She holds a Ph.D. in human geography from the University of North Carolina at Chapel Hill and a master's from the University of Texas at Austin.

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♡ 1 • Share Best Newest Oldest

JFB
2 months ago

The fact that the epa paid this man that well tells us everything we need to know

6 0 Reply

holisticpoet
2 months ago edited

If we made everyone who testified in court proceedings that involve the health and well being of hundreds of millions of people take a truth serum before testifying so that they could only speak the truth, I would bet that one side would contradict their actual testimony and the other side would change only minimally.

6 0 Reply

Zulugroove
2 months ago

Stunning how we need to fight to get poison chemicals out of something as basic to human life as water !

4 0 Reply

Harry Strack
2 months ago

EPA stooge

4 0 Reply

Carl Hays
2 months ago

So the EPA scientist acknowledges the evidence that fluoride in the water is harmful at twice the recommended dosage. Shouldn't it be obvious then to everyone, including Chen, that almost no one regulates the amount of water they consume in a day? And, if it's in the water, then everything that is processed using fluoridated water, from cereals to soft drinks (which don't have fluoride amounts listed on the packaging), becomes contaminated with fluoride. So, in effect we never know how much fluoride we're actually ingesting. This is a glaringly obvious argument for stopping community water fluoridation altogether. I hope Connett uses it during his closing statements.

3 0 Reply

Al Tracy
2 months ago

MONEY! The great manipulator!

3 0 Reply

Nod
2 months ago

Further more. Fluoride is NOT A NUTRIENT. It is a poison.

3 0 Reply

Frederick Lee
2 months ago

Does anyone believe a courtroom is the proper forum for establishing scientific fact of this nature?
The question for the epidemiologist is: if 1x unit of fluoride makes people healthy, does 10x units make people 10x healthier?
If 10x makes people healthier, does 100x units provide 100x health?
Unlike foods such as minerals and vitamins, fluoride is not nutritious.
Next question: does fluoridated water need to be applied like fluoridated toothpaste, i.e. swished around in the mouth, or injested using a straw which bypasses the teeth? A doctor of epidemiology testifying as an expert witness would know that answer.
Maybe a good question is "What is the medically proven dosage of fluoride for all living creatures from infants to cows to horses, necessary for optimal health of teeth, mind, and body?"
Since the EPA is concerned with Protecting the Environment, not just people, they should know that answer with some degree of certainty. Otherwise, water should not be purposefully and arbitrarily contaminated with chemicals under the guise of "Its good for you." or, "Its not bad for you."

3 0 Reply

Boomer Lady
2 months ago

The whole point of what has been presented of whether or not fluoridation is a wise addition to any water system was settled when the benefits of applying it to a patient's teeth by the fluoride treatments at the dentist and brushing ones teeth with a fluoride toothpaste is much more effective than drinking fluoride laced water. Such water passes across the teeth and down the throat in a matter of a second or two. The main use of any water system, whether or not fluoridated, is to wash dishes and clothes and cars and ourselves, and water lawns.

The fact that there is a huge uncertainty about the effects of fluoridation on children at a time in human history when autism and other developmental conditions are growing to encompass a higher and higher percentage of children each generation, should give us all pause to consider why we use fluoridation at all. We should err on the side of banning it when we aren't absolutely certain of its safety. Then let those who want to ingest fluoride get it at their dentist's office or brush their teeth with a fluoride toothpaste or drink fluoridated bottled water. Then leave the rest of us alone. Can the rest of the world, in which most countries found a higher incidence of bone hip and knee fractures during the long periods when fluoridation was used, be wrong? Their parliaments, which tend to have difficulties coming to a meeting of the minds, finally stopped fluoridation, while those others who never used it decided not to begin the practice.

2 0 Reply

Richard Wahd
2 months ago

$137,000 - And he'll make a significant contribution to a worthy charity with that...
Bwahahahaha

2 0 Reply

Victor
2 months ago

Like the "cholesterol causes heart disease" scam, "fluoride reducing cavities" is another scam. Once you establish that fact, then there is no justification for fluoride in water. Just look at the fraudulent record of the Pharmaceutical Cabal(including the FDA, CDC, EPA, HHS, etc):
1. Almost every time (many) they have been taken to court by DOJ for fraud, they have been found guilty, the case at the same time revealing that they lied about test results or side effects, killing hundreds of thousands of people in the process.
2. Vioxx and the Opioids are just 2 clear examples.
3. We know that the whole Covid-19 pandemic was a fraud, which will eventually end up in court also.
4. We know that the human trials of most previous vaccines are also fraudulent because they don't have valid controls.
5. Let's say that we can prove that 50% of the human trials for drug approval are fraudulent, do you really think that the other 50% would be proper and correct trials ??
6. Do you really think that the studies showing that Flouride, a waste product from aluminum processing, prevents cavities are real valid studies ??
7. Are you aware that Psychotic drugs, also have negligible benefits and major side effects ?? Would you agree this is also fraudulent ??

see more

2 0 Reply

sayno2fluoride
2 months ago

If fluoride was perfectly safe and effective, as the poison pushers have repeatedly claimed, why are the compounds used in fluoridation not supported with a Medical Product's Licence? Even when derived from air pollution scrubbers the fluoride is not purified to Pharmaceutical Standards - so still contains other neurotoxins, as well as heavy metals, such as arsenic, beryllium, cadmium, lead and mercury.

Using the water supply as a unique method of delivering "medication" inevitably denies people their Right of Consent. A moments thought should enable anyone with some common sense to realise that an accurate dose cannot be administered in this manner. Some people drink over 10 times as much as others. The appropriate dose should take into account the persons needs, age, sex, weight, health, potential effects etc. The level set for water fails to take into account the amount a person imbibes from other sources. Tea and coffee, which have a high, natural fluoride content, could mean that a person already receives the supposed optimum "dose" of this cumulative poison, even without more being added to the drinking water.

Resultant cases of dental fluorosis, the first visible sign of chronic, fluoride poisoning, show that it does more harm than good. Dentists are only trained on teeth, so would not be

see more

1 0 Reply

Nod
2 months ago

All irrelevant bull.

Fluoride works topically for dental caries, NOT systemically. Matter of judicial notice.

Only thing fluoride does when taking it systemically is to kill the enzymes inside of us and consequently cause disease and death and brain damage.

Manslaughter

1 0 Reply

Clint
2 months ago

What can we do about it? Something in the Water: 12 Steps to Ending Fluoridation in Your Town https://a.co/d/gmQ5hWT

Since the inception of water fluoridation in 1945, a crime and cover-up have continued between government and various industries, professional associations, and research institutions. Together, they have successfully rebranded an industrial pollutant and neurotoxin as a beneficial additive to the water supply.

Something in the Water is an indispensable guide designed specifically to teach concerned residents how to mount a local, grassroots campaign to end water fluoridation. This important and urgent work from campaign consultant Clint Griess distills the finest advice from worldwide fluoride-free campaigns into twelve manageable steps. For those seeking to restore free choice in public health policy and reclaim clean drinking water for themselves and their communities, this campaigner's manual contains everything needed for success. Both practical and inspiring, Something in the Water relies on the firsthand testimonies of fluoride-free advocates who share their hard-won experiences so others can avoid common pitfalls and effectively stop public utilities from poisoning water.

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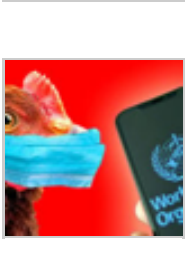

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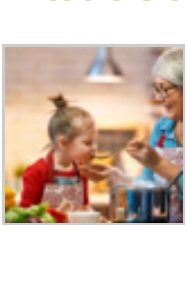

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